

1
2 UNITED STATES DISTRICT COURT
3 WESTERN DISTRICT OF WASHINGTON
4 AT TACOMA

5 UNITED STATES OF AMERICA,

6 Plaintiff-Respondent,

7 v.

8 JOSE AHUMADA-RODRIGUEZ,

9 Defendant-Movant.

10 CASE NO. CR09-5601BHS

11 ORDER DENYING MOTION FOR
12 REDUCTION OF SENTENCE

13 This matter comes before the court on Defendant-Movant Jose Ahumada-Rodriguez'
14 (Ahumada-Rodriguez) Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582. Dkt. 265. The
15 court has reviewed the motion and the government's response (Dkt. 272).

16 Defendant seeks a reduction in sentence based on Amendment 788 to the Sentencing
17 Guidelines which made Amendment 782 to USSG 2D1.1. Because the sentence that Ahumada-
18 Rodriguez is serving is the applicable mandatory minimum sentence required by 21 U.S.C. §
19 841(b)(1)(A), Defendant is ineligible for a reduction in sentence under 18 U.S.C. 3582(c)(2) and
20 his motion should be denied.

21 NOW, THEREFORE, IT IS HEREBY ORDERED that Ahumada-Rodriguez' Motion to
22 Reduce Sentence Pursuant to 18 U.S.C. § 3582 is DENIED.

23 Dated this 20th day of July, 2015.

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BENJAMIN H. SETTLE
United States District Judge